

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

June 4, 2007

Regular Meeting

The regular meeting of Council was called to order by President Lester at 8:00 p.m. in the Council Chamber, City Hall, 4035 Broadway.

After a moment of silent prayer and the Pledge of Allegiance, roll was called and the following members were present:

Larry Corbin Maria Klemack-McGraw Rich Lester Richard Stage Ted Berry

1. Mr. Corbin moved to dispense with the reading of the minutes from the previous meeting and approve as written; seconded by Mr. Stage.

Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes

2. President Lester recognized Mayor Grossman, who introduced Mr. Paul Kaut – General Manager of Giant Eagle. She announced that Giant Eagle will be the premier sponsor for the Balloons Off Broadway Event this year. Mr. Kaut thanked the City and Mr. Stu Gibboney, President of the Balloon Club, for this opportunity. He said many of the employees at Giant Eagle came from Big Bear and they were happy to see the City rescue this event when Big Bear closed. They are excited and proud to be able to participate and serve the community. He invited everyone to come out & join in the festivities.
3. President Lester read the agenda items and moved that Resolution CR-31-07 be added to the agenda; seconded by Mr. Stage.

Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes

All other items were approved by unanimous consent.

The Chair recognized Mr. Stage, Chairman of Finance, for discussion and voting under said Committee.

1. Ordinance C-42-07 (Appropriate \$5,144.72 from the Drug Law Enforcement Fund for the Current Expense of Police Equipment) was given its second reading and public hearing and Mr. Stage moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes

2. Ordinance C-43-07 (Appropriate \$40,467.74 from the DARE Fund for Current Program Expenses) was given its second reading and public hearing and Mr. Stage moved it be approved; seconded by President Lester.

Mr. Stage read a letter from Ms. Reichard, City Admin., indicating that the money, mainly from the DARE Golf Outing, may be used for various items, such as initial funding of the next golf outing; fund a DARE Dunk Tank; purchase an intoxicating driving simulator; a DARE vehicle; DARE conferences for two officers. There being no further discussion, the vote was called.

Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes

3. Ordinance C-44-07 (Appropriate \$1,250.00 from the General Fund for the Current Expense of Police Equipment) was given its second reading and public hearing and Mr. Stage moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Yes

4. Ordinance C-45-07(Make Amendments to Chapter 161 of the Codified Ordinances titled Employment Provisions for City Employees) was given its second reading and public hearing.

Mr. Stage explained that this is a housekeeping measure and that there is no increase in personnel.

There being no additional questions or comments, Mr. Stage moved it be approved; seconded by Mr. Corbin.

Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes

5. Ordinance C-50-07 (Authorize the City Administrator to Sell Excess Real Property) was given its first reading. Second reading and public hearing will be held on June 18, 2007.

The Chair recognized, Ms. Klemack-McGraw, Chairman of Safety, for discussion and voting of legislative agenda items under said committee.

1. Resolution CR-27-07 (Oppose House Bill 154 to Abolish Mayor's Courts in Ohio) was given its reading and public hearing.

Mr. Stage commented that this was postponed at the last meeting in order to obtain additional information. He said they did receive a response from Representative Wolpert and copies of resolutions of opposition from other communities. He asked that Council continue on with the process and approved this Resolution.

There being no additional questions or comments, Ms. Klemack-McGraw moved it be approved; seconded by Mr. Stage.

Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes

The Chair recognized, Mr. Corbin, Chairman of Lands, for discussion and voting of legislative agenda items under said committee.

1. Ordinance C-46-07 (Approve the Annexation of 2.698 acres located North of Stringtown and West of S.R. 104) was given its second reading and public hearing.

Mr. Joe Hull, attorney for applicant, explained that this is for five (5) lots on Stringtown Road. There are no current plans to develop these lots now and will be annexed with an SF-1, single-family residential zoning.

There being no questions or comments, Mr. Corbin moved it be approved; seconded by Mr. Stage.

Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes

2. Ordinance C-47-07 (Approve a Special Use Permit for Outdoor Seating at Legends Sports Pub & Grill located at 4015 Parkmead Drive) was given its second reading and public hearing.

Mr. Leonard Galizio, representing Legends, was present to answer any questions. He showed a site plan of the entire area and pointed out where they would like to add the outdoor seating. He stated that they have agreed to add a gate and paint the fencing, as requested by the City.

President Lester asked if there would be any parking removed. Mr. Galizio said no. Mr. Stage asked how many people it would hold. Mr. Galizio said about 40. Mr. Stage asked if there would be music. Mr. Galizio said not at this time. Mr. Stage asked if he had a problem with adding a stipulation that no music would be allowed. Mr. Galizio commented that this area is all zoned commercial and residential is more than 600' away. He said you would have more noise from the Theater. Mr. Corbin commented that we have an ordinance to regulate noise. Mr. Stage agreed, but indicated that it was an issue with a request from a Town Center merchant, and he feels it is a logical question to determine what is going to be out on the patio besides people. President Lester said he checked the Auditor's website and verified that everything around the perimeter is commercial. He doesn't feel that this situation falls in line with the request made by the Town Center merchant, who had residential next to it. Mr. Stage noted that this requested was denied by Planning Commission. President Lester stated that the vote was 2 – 2. Mr. Stage asked Mr. Boso, Dir. of Dev., if noise was the reason for the no votes. Mr. Boso said he thought it was.

There being no additional questions or comments, Mr. Corbin moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes

3. Ordinance C-51-07 (Approve a Special Use Permit for Integrity Plus Auto body for Automotive Services located at 6153 Enterprise Parkway) was given its first reading. Second reading and public hearing will be held on June 18, 2007.
4. Ordinance C-52-07 (Amend Ord. C-21-06, a Special Use Permit for a Drive-Thru Window for Village @ The Grove located at 2600 London-Groveport Rd.) was given its first reading. Second reading and public hearing will be held on June 18, 2007.
5. Resolution CR-28-07 (Approve the Development Plan for First Baptist Church located South of Orders Road and West of Hoover) was given its reading and public hearing.

Mr. Roger Wheeler, Relocation Chair for the church, was present to answer any questions. President Lester noted that of the 10 stipulations from Planning Commission, the only outstanding stipulation was #10. Mr. Keller, city's Consulting Engineer, stated that he had received information from the church's representative on stipulation #10. He said they have agreed to work with the City to reimburse us for road improvements through the Developer's Agreement. President Lester wanted to make sure that it was clear that even though a cost estimate was submitted, that does not tie the City into that figure. This will all be coordinated with the City and its engineer. Mr. Keller said that was correct. Mr. Berry asked if the applicant agreed to all the other stipulations. Mr. Wheeler said yes.

Mr. Stage requested to abstain from voting as his bank was bidding on the financing. President Lester moved that Mr. Stage be permitted to abstain; seconded by Ms. Klemack-McGraw.

Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Yes

There being no additional questions or comments, Mr. Corbin moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Abstain
Mr. Berry	Yes

6. Resolution CR-30-07 (Amend Res. CR-22-06, the Development Plan for the Village at the Groves located at 2600 London-Groveport Road) was given its reading and at the request of the petitioner, Mr. Corbin moved it be postponed to 6/18; seconded by Ms. Klemack-McGraw.

Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes

The Chair recognized, Mr. Berry, Chairman of Lands, for discussion and voting of legislative agenda items under said committee.

1. Resolution CR-31-07 (Oppose Senate Bill 117 which would Eliminate Local Cable/Video Franchise Authority) was given its reading and public hearing.

Mr. Stage commented that the Columbus Dispatch had a very clear article in this past Sunday's issue. In it, it states that AT&T and Time Warner have united on this bill citing that they are helping the consumer. He said he wonders about that. He explained that this Bill takes away Home Rule and Local authority. He asked it be approved.

There being no additional questions or comments, Mr. Berry moved it be approved; seconded by Mr. Corbin.

Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes

The Chair asked that any new business to be brought before the attention of Council be done so at this time.

1. Mr. Robert Hatley, member of the Comprehensive Planning Committee, commented on their meetings and in particular, as one relates to Ms. Klemack-McGraw's letter. He explained that he has been present for these meeting and hopes he can clear up a few things. He said during the meetings, they have brainstorming sessions. During those sessions they use a SWOT review. SWOT stands for strengths, weaknesses, opportunities, threats. He said he believes threats could be termed better, however, there was never any intent from anyone to discriminate. He read a quote from Ms. Klemack-McGraw's letter. He explained that this was a session of brainstorming. He said he would have been equally offended if someone had said Grove City needs more adult book stores, abortion clinics, or KKK rallies. However, he doesn't want to stifle free speech and that is what was happening in the brainstorming session. People were blurting out different strengths, weaknesses, opportunities and threats. He said if someone would have blurted out one of the things he noted, he would have been offended, but would in no way ask for an apology. He said their right to express their opinion would override anything that he felt personally or it isn't politically correct. He said it seems like being politically correct is taking precedent over freedom of speech. He said he wants to assure Council that he was at these meetings; in no way was there every any intent of discrimination; they were having a free flow of information. He said they are trying to develop a Comprehensive Plan that has to do with all aspects of the City. In doing so, you can't stifle people's opinion. They can't send to Council, ahead of time, what everyone's opinion is going to be and have it approved. There wasn't any intent of anything other than a free flow of information.
2. Ms. Dianne Harris, Consultant for the Comprehensive Plan and a resident of Ward 4, explained that a group of residents have volunteered their time to assist in this process. As Council is aware, they are not able to meet with the Committee on a regular basis, so the notes have been provided to

Council to keep them informed. The notes of the 4/11 meeting resulted in this misunderstanding and the hurt feelings of Council Member Klemack-McGraw. The Team has provided a written apology and a clarification of those notes to Ms. Klemack-McGraw. She said they deeply regret her pain and never intended for that to happen. However, she cannot stress strongly enough that this was a misunderstanding and feel it is unfair for the Advisory Committee to apologize for something that really didn't happen. Never in any of the proceedings has there been anything that has been malicious or bigoted. Consultants have found this community to be very open and welcoming and they are excited about its future. There has been an offer to sit down and have a direct conversation on the matter with Ms. Klemack-McGraw. This hasn't been achieved yet, but they are hoping that a dialogue can be opened to help resolve this. She said they have been asked to single out the citizen that made the questionable comment and dismiss them from the committee. As consultants, they don't think that is fair. They began this process with Council's own request to keep this open to all the citizens. They had their own desire to include all citizens regardless of the level of education, sophistication, or status in life. They fear that being asked to dismiss someone would be a detriment to the process they have been working under. She said she stands before them tonight to apologize and hopefully, open communication that will lead to a resolution. Grove City is blessed with diversity on many levels and knows, in planning for the future, we are going to continue to draw many kinds of citizens that will want to be part of this special community.

The Chair recognized members of Administration and Council for closing comments.

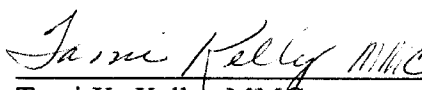
1. Mayor Grossman submitted the Mayor's Monthly Report and President Lester moved to accept same; seconded by Mr. Stage.

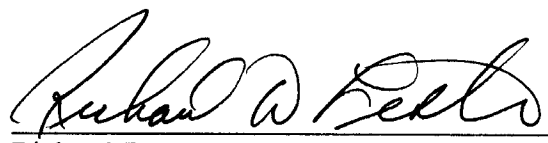
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes

In closing, she expressed her appreciation to all city employees who have been helping with the Parade of Homes. She noted that the BIA has been very complimentary about their partnership with the City. She reported on community events and noted that the purple bows around town are for Relay-For-Life.

2. Ms. Klemack-McGraw expressed appreciation to the Comprehensive Planning Steering Committee for their comments. She said she realizes it is something difficult, but a necessary step on their part to resolve this matter. She said she looks forward to similar action on the part of the Administration.
3. After additional comments from Council and other Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 8:43 p.m.


 Tami K. Kelly, MMC
 Clerk of Council


 Richard D. Lester
 President